

MAYER • BROWN

Mayer Brown LLP
1675 Broadway
New York, New York 10019-5820

Main Tel +1 212 506 2500
Main Fax +1 212 262 1910
www.mayerbrown.com

A. John P. Mancini
Direct Tel +1 212 506 2295
Direct Fax +1 212 849 5895
jmancini@mayerbrown.com

December 15, 2009

Honorable Thomas C. Platt
United States District Court for the Eastern
District of New York
Long Island Courthouse
1044 Federal Plaza
Central Islip, New York 11722-9014

Re: The Lincoln Life & Annuity Company of New
York v. Moran, et al., Case No. 08-699

Dear Judge Platt:

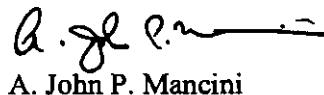
We are pleased to inform the Court that Defendant H. Thomas Moran, Court Appointed Receiver for Lydia Capital ("Moran") and Third-Party Defendants Argyle Equity, Inc. ("Argyle") and Dudzic Law Firm, LLC ("Dudzic") have reached a settlement in the above-referenced matter. The parties are in the process of finalizing the details of the settlement agreement. After the agreement is finalized, Moran will file the necessary motion for approval of the settlement with the United States District Court for Massachusetts, which has jurisdiction over the Lydia Capital receivership and assets. Once the receivership court issues an order approving the settlement, Moran has agreed to file a Stipulation of Dismissal and Discontinuance With Prejudice of its claims against Argyle and Dudzic.

Given the circumstances of the settlement and the possible delay occasioned by court approval from another jurisdiction, the parties have agreed that any upcoming deadlines shall be stayed and/or adjourned. Accordingly, we respectfully request that Court endorse this letter to stay or adjourn, *sine die*, all deadlines in the instant litigation that may relate to Argyle and/or Dudzic.

We thank the Court for its assistance.

Request Granted to Stay *sine die*
All deadlines in this
litigation that may relate
to Argyle and/or Dudzic

Respectfully submitted,


A. John P. Mancini

12/16/09